

REMARKS

This paper is submitted in response to the non-final Office Action dated November 10, 2005 ("the Office Action").

Claims 1-16, 18, and 20-26 were previously pending in the application.

Claims 1-15 have been allowed.

Claims 16, 18, 20, and 21 stand rejected.

Claims 22-26 are under objection.

New claims 27-30 have been added in this paper. Claims 16, 18, and 20-26 have been amended. These new claims and amendments add no new matter and are fully supported by the originally filed specification and drawings.

No claims have been canceled in this paper.

Accordingly, claims 1-16, 18, and 20-30 are now pending in the present application.

Claims 16, 18, 20, and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,617,421 issued to Chin et al. ("*Chin*"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicant has chosen respectfully to address the rejection in the Office Action as follows. Applicant reserves the right, for example in a continuing application, to establish that one or more of the cited references do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed. Applicant respectfully submits that the pending claims are patentable and respectfully requests reconsideration of the pending rejections in view of the amendments and remarks presented herein.

Allowable Subject Matter

Applicant expresses continued appreciation for the Examiner's indication that claims 1-15 are allowed. Applicant is also grateful for the Examiner's indication that claims 22-26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. At this time, however, Applicant wishes to maintain claims 22-26 in dependent form in view of the following remarks on the allowability of the corresponding amended base claims.

Applicant notes that new claims 27 and 28 are in independent form and include at least some of the limitations that were in the previous versions of dependent claims 22 and 25, respectively. Applicant respectfully submits that new claims 27 and 28 are allowable.

The Rejections under 35 U.S.C. § 102(b)

Claims 16, 18, 20, and 21 stand rejected under § 102(b) as being anticipated by *Chin*. While not conceding the validity of these rejections, but instead to expedite prosecution, Applicant has chosen to amend claims 16, 18, 20, and 21 as indicated above. These amendments are made without prejudice against or disclaimer of the subject matter covered in the previous versions of these claims, and applicant reserves the right to pursue the subject matter of the previous versions of these claims, for example in a continuing application.


As amended, independent claim 16 is directed to an apparatus that includes a routing data generation circuit. The routing data generation circuit is configured to generate and add a first routing data to a first data frame, and to generate and add a second routing data to a second data frame. The first routing data identifies a first data port of a first switching fabric through which the first data frame will exit to reach a destination device. The second routing data identifies a

second data port of a second switching fabric through which the second data frame will exit to reach the destination device. The second data port is different from the first data port.

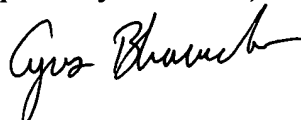
These limitations are not disclosed in the cited art. Accordingly, Applicant respectfully submits that amended claim 16 is allowable under § 102(b). At least for similar reasons, amended claims 18, 20, and 21 are also allowable under § 102(b).

### CONCLUSION

Applicant submits that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop <u>Amendment</u> , Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on <u>February 10, 2006</u> .	
 Attorney for Applicant	<u>2006 Feb 10</u> Date of Signature

Respectfully submitted,



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